

1 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

2 (1) There is probable cause to believe the defendant committed the
3 conspiracy drug offense. The maximum penalty is in excess of ten years.
4 There is therefore a rebuttable presumption against the defendant's
5 release based upon both dangerousness and flight risk under Title 18
6 U.S.C. § 3142(e).

7 (2) Nothing in this record satisfactorily rebuts the presumption against
8 release for several reasons:
9 (a) The defendant presents a risk of nonappearance due to the
10 following: He is a citizen and national of Mexico who has been
11 previously deported; his background and his ties to the Western
12 District of Washington are unknown/unverified; the Bureau of
13 Immigration and Customs Enforcement has filed a detainer;
14 (b) The defendant stipulates to detention at this time.

15 **It is therefore ORDERED:**

16 (1) The defendant shall be detained pending trial and committed to the
17 custody of the Attorney General for confinement in a correction facility
18 separate, to the extent practicable, from persons awaiting or serving
19 sentences or being held in custody pending appeal;

20 (2) The defendant shall be afforded reasonable opportunity for private
21 consultation with counsel;

22 (3) On order of a court of the United States or on request of an attorney for
23 the Government, the person in charge of the corrections facility in which
24 the defendant is confined shall deliver the defendant to a United States
25 Marshal for the purpose of an appearance in connection with a court
26 proceeding; and

1 (4) The clerk shall direct copies of this order to counsel for the United
2 States, to counsel for the defendant, to the United States Marshal, and to
3 the United States Pretrial Services Officer.

4 DATED this 25th day of July, 2007.
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9 MONICA J. BENTON
10 United States Magistrate Judge
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